

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NACHUM ZAGER  
on Behalf of Himself and All Other Similarly  
Situating,

Plaintiffs,

Index No.: 09-CIV-7019 (KMK)

v.

CAPITAL ONE BANK USA, NA  
Mr. Richard D. Fairbanks,  
Chief Executive Officer

**NOTICE OF APPEARANCE**

Defendants.  
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**PLEASE TAKE NOTICE** that Reed Smith LLP by Casey D. Laffey appears herein as counsel for defendants Capital One Bank USA, N.A. and Richard D. Fairbanks ("Defendants") and requests copies of all pleadings and other documents electronically filed herein.

Dated: December 7, 2008

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